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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/710,626	RETZBACH ET AL.
Office Action Summary	Examiner	Art Unit
	CARRIE A. STRODER	3689
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence address
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).
Status		
Responsive to communication(s) filed on 21 M This action is FINAL. 2b)☑ This Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro	
Disposition of Claims		
4) Claim(s) 1-13,15-24 and 26-29 is/are pending and 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 1-13,15-24 and 26-29 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or Application Papers 9) The specification is objected to by the Examine	wn from consideration.	
10) The drawing(s) filed on is/are: a) access applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex	epted or b) objected to by the I drawing(s) be held in abeyance. See ion is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).
Priority under 35 U.S.C. § 119		
 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list 	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Do	ate
3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application

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DETAILED ACTION

1. This is in response to the applicant's communication filed on 21 May 2010, wherein:

Claims 1-13, 15-24, and 26-29 are currently pending; Claims 14 and 25 are cancelled; and claims 1, 26, and 28 are currently amended.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 21 May 2010 has been entered.

Claim Objections

1. Claims 1-13, 15-24, and 26-29 are objected to because of the following informalities: "wherein one of the two or more computer systems is the marketing offer system, and further comprising the marketing offer system transmitting generating and transmitting advertising materials regarding customer vehicle personalization and vehicle accessories based on the one or more VIN-specific customer vehicle attributes," which

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includes "transmitting" twice. Appropriate correction is required.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 28-29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 28 invokes 35 USC 112 when stating, "means for".

However, the specification does not describe adequate structure for performing the recited function.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 28-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point

out and distinctly claim the subject matter which applicant regards as the invention.

There is no structure described in the specification which corresponds to the claim limitations, "means for receiving," "means for storing," and "means for integrating". If there is no disclosure of structure, material or acts for performing the recited function, the claim fails to satisfy the requirements of 35 U.S.C. 112, second paragraph. MPEP 2181.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1-7, 9-10, 13, 15, 17-18, and 26-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Jones et al. (US 20020024537).

Referring to claim 1:

Jones teaches

receiving one or more customer vehicle attributes from two or more computer systems selected from the group consisting of: a service appointment system, a dealer management system, a

marketing offer system, an accessory system, a vehicle inspection system, a follow-up system, and a concern resolution system (paragraphs 3-4; "an integrated software application architecture with all functions required by an automobile dealership, including sales, F&I (finance and insurance), accounting, HR (Human Resources)/payroll, parts, service, and E.sup.2 core (including functions in customer management, vehicle management, activity/processors, roles, user/departments, security, user interface, reports, printing, and instant messaging), together with e-business enablers, supply chain integration, and a dealer communication system");

storing the one or more customer vehicle attributes into a data warehouse (paragraph 64; "The mobile unit preferably includes means to pass information to the central database so that the vehicle is entered into the system after it is scanned");

integrating the one or more customer vehicle attributes on a VIN-specific level across the two or more computer systems to obtain one or more VIN-specific customer vehicle attributes (paragraph 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a

vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle"); and

facilitating management of a relationship between a customer and a service or product provider based on the one or more VIN-specific customer vehicle attributes, wherein one of the two or more computer systems is the marketing offer system, and further comprising the marketing offer system transmitting generating and transmitting advertising materials regarding customer vehicle personalization and vehicle accessories based on the one or more VIN-specific customer vehicle attributes (paragraphs 44, 54, and 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle" and "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners..." and "The vehicle information

preferably contains information such as the make and date, model, vehicle identification number, license number, mileage and other information as necessary." and where "service reminder" is interpreted as "advertising materials"; Examiner interprets advertising materials as materials which attract attention to a product or business and by sending a service reminder, attention is being attracted to the business).

Referring to claims 2, 27, & 29:

Jones teaches wherein the relationship is an after vehicle sales delivery relationship (paragraph 3; where service takes place after vehicle sales delivery).

Referring to claim 3:

Jones teaches wherein the one or more customer vehicle attributes are selected from the group consisting of: basic core customer data, vehicle data, financial data, service history data, accessory purchase history data, demographic data, attitudinal data, and loyalty data (paragraph 54; "A context region 424 may be included. The context region 424 includes information about an entity or a component of the task domain in which the user is working. For example, in a service application, the context region 424 may include information on the customer, vehicle, contact information, service information and other information relevant to the particular task.").

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Referring to claim 4:

Jones teaches tracking the one or more VIN-specific customer vehicle attributes (paragraph 56; "For example, the "History" button would call up information on the previous work done for that particular vehicle.").

Referring to claim 5:

Jones teaches wherein the service or product provider includes a dealer and/or an original equipment manufacturer (OEM) (paragraph 3; "Therefore, it is an object of the present invention to provide an information management system for automobile dealerships that provides complete integrated functionality of all software program applications for a dealer, in an integrated single database, which covers multiple dealership locations for a single operator, and which operates on a state-of-the-art hardware and software infrastructure, including relational databases, object oriented software, browser base web APIs, and other advances.").

Referring to claim 6:

Jones teaches communicating or broadcasting a portion of the one or more VIN-specific customer vehicle attributes to the customer (paragraph 44; "Another e-commerce enabler may interface with an Internet application that sends out service

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reminders from a dealer to individual consumers or owners of automobiles serviced by the dealer.").

Referring to claim 7:

Jones teaches wherein the communicating or broadcasting step is conducted by the OEM or the dealer (paragraph 44; "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners of automobiles serviced by the dealer.").

Referring to claim 9:

Jones teaches generating a report based on the one or more VIN-specific customer vehicle attributes, wherein at least a portion of the report is communicated to the customer (paragraph 44; "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners of automobiles serviced by the dealer." and where a "service reminder" is interpreted as a report).

Referring to claim 10:

Jones teaches wherein the marketing offer computer system includes functionality for providing a plurality of fulfillment options (paragraph 44; "Possible future E-commerce applications 380 for various embodiments may include interface with

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Carpoint.com or another Internet web page that searches for cars requested and refers the user to dealers found that have the requested car." and where "dealers" indicates a plurality of fulfillment options).

Referring to claim 13:

Jones teaches wherein one of the two or more computer systems is the service appointment system, and further comprising the service appointment system scheduling service appointments based on the one or more VIN-specific customer vehicle attributes (paragraphs 44 & 54; "...schedules service meetings between the service center and consumers..." and "For example, in a service application, the context region 424 may include information on the customer, vehicle, contact information, service information and other information relevant to the particular task. The customer field preferably contains the customer's name, an identification number, contact information and preferred method of contact. The vehicle information preferably contains information such as the make and date, model, vehicle identification number, license number, mileage and other information as necessary.").

Referring to claim 15:

Jones teaches wherein the accessory system is capable of processing accessory purchases and installations (paragraphs 44

and 59-61 and Fig. 6(c); "...determine what new appointments may be made..." and where Fig. 6(c) shows accessories available for purchase).

Referring to claim 17:

Jones teaches wherein the portion of the one or more VIN-specific customer vehicle attributes is communicated through the Internet (paragraph 44; "...schedules service meetings between the service center and customers over the Internet.").

Referring to claim 18:

Jones teaches wherein the portion of the one or more VIN-specific customer vehicle attributes is communicated through an e-mail via the Internet (paragraph 68; "This last option may also be used to trigger an automatic e-mail message directly to a customer...").

Referring to claim 26:

Jones teaches

two or more computer systems selected from the group consisting of: a service appointment system, a dealer management system, a marketing offer system, an accessory system, a vehicle inspection system, a follow-up system, and a concern resolution system, wherein the two or more computer systems are capable of storing and transmitting one or more customer vehicle attributes (paragraphs 3-4; "an integrated software application

architecture with all functions required by an automobile dealership, including sales, F&I (finance and insurance), accounting, HR (Human Resources)/payroll, parts, service, and E.sup.2 core (including functions in customer management, vehicle management, activity/processors, roles, user/departments, security, user interface, reports, printing, and instant messaging), together with e-business enablers, supply chain integration, and a dealer communication system");

a data warehouse coupled to the two or more computer systems for storing the one or more customer vehicle attributes (paragraph 64; "The mobile unit preferably includes means to pass information to the central database so that the vehicle is entered into the system after it is scanned"); and

a retrieval module coupled to the data warehouse for retrieving the one or more customer vehicle attributes stored in the data warehouse based upon an electronic request, integrating the one or more customer vehicle attributes on a VIN-specific level across the two or more computer systems to obtain one or more VIN-specific customer vehicle attributes, and facilitating management of a relationship between a customer and a service or product provider based on the one or more VIN-specific customer vehicle attributes, wherein one of the two or more computer systems is the marketing offer system, and further comprising

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the marketing offer system transmitting generating and transmitting advertising materials regarding customer vehicle personalization and vehicle accessories based on the one or more VIN-specific customer vehicle attributes (paragraphs 44, 54, and 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle" and "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners..." and "The vehicle information preferably contains information such as the make and date, model, vehicle identification number, license number, mileage and other information as necessary." and where "service reminder" is interpreted as "advertising materials"; Examiner interprets advertising materials as materials which attract attention to a product or business and by sending a service reminder, attention is being attracted to the business).

Referring to claim 28:

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Jones teaches

means for receiving one or more customer vehicle attributes from two or more computer systems selected from the group consisting of: a service appointment system, a dealer management system, a marketing offer system, an accessory system, a vehicle inspection system, a follow-up system, and a concern resolution system (paragraphs 3-4; "an integrated software application architecture with all functions required by an automobile dealership, including sales, F&I (finance and insurance), accounting, HR (Human Resources)/payroll, parts, service, and E.sup.2 core (including functions in customer management, vehicle management, activity/processors, roles, user/departments, security, user interface, reports, printing, and instant messaging), together with e-business enablers, supply chain integration, and a dealer communication system");

means for storing the one or more customer vehicle attributes into a data warehouse (paragraph 64; "The mobile unit preferably includes means to pass information to the central database so that the vehicle is entered into the system after it is scanned"); and

means for transmitting the one or more customer vehicle attributes stored in the data warehouse based upon an electronic request, wherein integrating the one or more customer vehicle

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attributes on a VIN-specific level are integrated across the two or more computer systems to obtain one or more VIN-specific customer vehicle attributes, and facilitating facilitate management of a relationship between a customer and a service or product provider based on the one or more VIN-specific customer vehicle attributes, wherein one of the two or more computer systems is the marketing offer system, and further comprising the marketing offer system transmitting generating and transmitting advertising materials regarding customer vehicle personalization and vehicle accessories based on the one or more VIN-specific customer vehicle attributes (paragraphs 44, 54, and 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle" and "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners..." and "The vehicle information preferably contains information such as the make and date, model, vehicle

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identification number, license number, mileage and other information as necessary." and where "service reminder" is interpreted as "advertising materials"; Examiner interprets advertising materials as materials which attract attention to a product or business and by sending a service reminder, attention is being attracted to the business).

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 8, 11, 16, and 19 are rejected under 35 U.S.C.
- 103(a) as being unpatentable over Jones et al. (US 20020024537).

Referring to claim 8:

Jones teaches wherein the communicating or broadcasting step is conducted by the dealer (paragraphs 42-44; "Another ecommerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners of automobiles serviced by the dealer.").

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Jones does not explicitly teach wherein the communicating or broadcasting step is conducted by the OEM. However, Jones teaches that communication occurs between dealers and

manufacturers, or OEMs (paragraphs 42-44; "The DCS dealer communication system 395 provides communications for the present invention between the automobile dealer and the automobile manufacturers that service that dealer. The e-business enablers 380 may integrate other e-business applications either proprietary to The Reynolds & Reynolds Company or from third party vendors."

Since the OEM can communicate with the dealer, and the dealer can communicate with the customer, it would have been obvious to a person having ordinary skill in the art at the time of invention for the OEM to communicate or broadcast information directly to the customer because this allows the OEM to send out important information directly to all owners of the product, such as recall information.

Referring to claim 11:

Jones teaches formatting or packaging at least a portion of the one or more VIN-specific customer vehicle attributes prior to communicating or broadcasting the portion of the one or more VIN-specific customer vehicle attributes to the customer (paragraph 44; "Another e-commerce enabler may interface with an

Internet application that sends out service reminders from a dealer to individual consumers or owners of automobiles serviced by the dealer." and where it is implied that the attributes are formatted prior to sending a communication, such as when a service reminder is sent via post card and information such as the make, model, or mileage is listed in the appropriate place on the post card).

Referring to claim 16:

Jones teaches wherein the portion of the one or more VIN-specific customer vehicle attributes is communicated through a telephone (paragraph 54; where "contact information" implies that a customer may be contacted regarding a vehicle attribute via telephone).

Referring to claim 19:

Jones teaches wherein the one or more VIN-specific customer vehicle attributes is used to facilitate marketing of one or more events (paragraphs 3-4, & 33; "The present invention provides, an integrated software application architecture with all functions required by an automobile dealership, including sales..." and "The SQL server returns the requested data objects which are used by the application services tier" and where it is implied that a sales department markets events using the data of the invention).

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US 20020024537), in view of Anderson et al. (US 20020091706).

Referring to claim 12:

Jones does not teach; however, Anderson teaches wherein the data warehouse includes a mainframe computer system (paragraph 29; "mainframe").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the teachings of Jones by using a mainframe as taught by Anderson because this would provide an additional manner in which to store and share information.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US 20020024537), in view of Nelson (US 6922674).

Referring to claim 20:

Jones does not teach; however, Nelson teaches dealerizing the one or more VIN-specific customer vehicle attributes (col. 11, lines 47-50; "...the system may match this potential buyer with an exclusive seller designated to service buyers from that buyer's geographic area").

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the

teachings of Jones by using a mainframe as taught by Anderson because this would provide a way to maximize customer satisfaction by facilitating the customer's receipt of prompt and accurate information about a vehicle from a dealer near the customer's location.

5. Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. (US 20020024537), in view of Gaito (US 20030171942).

Referring to claim 21:

Jones teaches where the data is one or more VIN-specific customer vehicle attributes (paragraph 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle").

Jones does not teach; however, Gaito teaches deduplicating the data (paragraph 39).

It would have been obvious for a person of ordinary skill in the art (PHOSITA) at the time of invention to modify the

teachings of Jones by using a mainframe as taught by Gaito because this would facilitate managing the data stored in the database.

Referring to claim 22:

Jones teaches where the data is one or more VIN-specific customer vehicle attributes (paragraph 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle").

Jones does not teach; however, Gaito teaches cleansing the data (paragraph 39).

Referring to claim 23:

Jones teaches where the data is one or more VIN-specific customer vehicle attributes (paragraph 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the

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mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle").

Jones does not teach; however, Gaito teaches comprising merging and purging the data (paragraphs 9 & 39).

Referring to claim 24:

Jones teaches where the data is one or more VIN-specific customer vehicle attributes (paragraph 64; "These units may be used, for example, in scanning VIN numbers from vehicles which are brought in for service and preferably include a laser scanner for this purpose. The mobile unit interfaces with the data bases so that when a vehicle is brought in and scanned, the mobile unit operator may get information such as most recent service date, whether time or mileage based service is due and whether a manufacturer ordered recall is in effect for the vehicle").

Jones does not teach; however, Gaito teaches conducting a national change of address analysis on the data (paragraph 42).

Response to Arguments

Applicant's arguments with respect to claims 1-13, 15-24, and 26-29 have been considered but are not persuasive.

Applicant argues that Jones does not teach, "wherein one of the

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two or more computer systems is the marketing offer system, and further comprising the marketing offer system transmitting generating and transmitting advertising materials regarding customer vehicle personalization and vehicle accessories based on the one or more VIN-specific customer vehicle attributes".

Examiner respectfully disagrees. Jones states, in paragraph 44, "Another e-commerce enabler may interface with an Internet application that sends out service reminders from a dealer to individual consumers or owners…" (emphasis added). The term "service reminder" is interpreted as "advertising materials," as Examiner interprets advertising materials as materials which attract attention to a product or business and by sending a service reminder, attention is being attracted to the business.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARRIE A. STRODER whose telephone number is (571)270-7119. The examiner can normally be reached on Monday - Thursday 8:00 a.m. - 5:00 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan Mooneyham can be reached on (571)272-6805. The fax phone number for the

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organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CARRIE A. STRODER/ Examiner, Art Unit 3689

/Janice A. Mooneyham/
Supervisory Patent Examiner, Art Unit 3689